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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 000456

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TAGS: [PGOV](#) [PREL](#) [KPAO](#) [KJUS](#) [BK](#)
SUBJECT: BOSNIAN REACTIONS TO ICJ VERDICT: FROM
DISAPPOINTMENT TO OUTRAGE

REF: SARAJEVO 362

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CLASSIFIED BY CDA JUDITH CEFKIN, REASONS 1.4(B) AND (D).

¶1. (U) Following weeks of speculation and building up of expectations, the announcement by the International Court of Justice that Serbia and Montenegro were not guilty of genocide during the 1992-1995 war in Bosnia and Herzegovina provoked immediate reactions across the political spectrum here. The nature of the comments was predictable, with Serb leaders saying the verdict should draw a line under the dark wartime and post war history of Bosnia, while Bosniaks and Croats expressed disappointment and outrage. Most leaders, even some of those disappointed by the verdict, said it should be respected. Below is a sampling of statements by key Bosnian leaders following the announcement of the verdict:

¶2. (U) Haris Silajdzic, Bosniak Member of the BiH Tri-Presidency, Party for BiH (SBiH): Serbia and Montenegro are the first two countries in history convicted of genocide. They were convicted, and the verdict reads as such, of violating the convention on the prevention and punishment of genocide. It is clear that this verdict was not a complete verdict, but it does contain within itself the fact that the convention on genocide was violated. Bosnia and Herzegovina must annul the results of genocide, which exist everywhere in Bosnian society, in its culture, economy, etc. In order to annul it, we have to change our structure and our constitution, which were created as the direct result of genocide."

¶3. (U) Zeljko Komsic, Croat Member of the BiH Tri-Presidency, Social Democratic Party (SDP): Komsic, expressing disappointment, said: "I do not know what the reason was for such a verdict, and it is not up to me to comment on that -- whether it was a lack of evidence or an incorrect judgement. But it doesn't matter anymore." Komsic said the ICJ verdict must be respected, but added: "I know what I will tell my child."

¶4. (U) Nebojsa Radmanovic, Serb Member of the BiH Tri-Presidency, Alliance of Independent Social Democrats (SNSD): Radmanovic predicted that the verdict would raise tensions in the short term and cause disappointment in BiH. He said: "I hope that we will be able to sit calmly and read the entire verdict as a whole and then be able to build a happier future, peacefully overcoming what happened in the past."

Radmanovic added that mutual confidence cannot be built with lawsuits and verdicts -- the time would have been better spent on building confidence within the region. Finally, he said it was now necessary to find a way forward for Bosnia on the path to Europe.

15. (U) Nikola Spiric, BiH Prime Minister (SNSD): Spiric said that the verdict would allow Bosnia to establish better relations with Serbia and Montenegro, but the verdict would almost certainly leave scars within the country. "It would be good if this verdict pulled us out of the past. Unfortunately, after the initial reactions, I am not convinced that will happen."

16. (U) Mladen Ivanic, Former Foreign Minister, President of the Party of Democratic Progress (PDP): Today's verdict "shed a completely different light on the conflict in Bosnia and Herzegovina and eliminated all extremist ideas." Ivanic said the verdict concludes a phase in history. "All those forces in BiH, especially the extreme Bosniak forces, who were hoping that they would be able to use the verdict for complete radicalization and changing the constitutional arrangement, lost their arguments. After today's verdict, this will not happen."

17. (U) Sulejman Tihic, President of the Party of Democratic Action (SDA): Tihic said he was not fully satisfied with the verdict, but the ICJ determined that genocide and war crimes were committed in Bosnia and the Republika Srpska was responsible for that. He added: "I am satisfied with the fact that Yugoslavia (sic) was held responsible for violating the convention on the prevention of genocide, because they did

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(U) not, although they could have, prevented, stopped or lessened the genocide in Srebrenica. They are held responsible because they failed to punish the perpetrators, they are held responsible because they failed to cooperate with the Hague Tribunal, and they are held responsible because they failed to observe the temporary measure ordered by the Court on September 13, 1993, clearly stating they had to make all efforts to stop the genocide in BiH."

18. (C) Within the Embassy, the reactions of our Foreign Service National staff, the majority of whom are Bosniak, were overwhelmingly negative. Virtually all of our FSN staff said they believed the verdict was "rigged" for political purposes, and said they were profoundly saddened by the verdict. Although no one had expected a full indictment of Serbia, they expected more from the verdict. Many said they thought the verdict did not provide the closure they had hoped for and felt the cause of the 1992-95 war remained unrecognized by the international community. Though one did comment that the Bosniaks have to co-exist with the Serbs, so that in the long-term perhaps "a compromise" was better. None said they believed there would be violent demonstrations as a result of the verdict.

19. (C) COMMENT: We expect the verdict will continue to feature very prominently in the media over the coming days and will probably lead to finger pointing as to who lost the case, and spinning of conspiracy theories. One thing appears clear: the verdict has not changed the minds of political leaders. Bosniak nationalists, as Silajdzic hinted in his statements, likely will use the partial finding that genocide had been committed in Bosnia as a means to continue to demand the abolishment of the Republika Srpska by saying that although Serbia and Montenegro were not guilty of state-sponsored genocide, they did provide material and ideological support the guilty Bosnian Serb parties. Serb leaders in the meantime likely will continue to use the verdict's announcement to urge the nation to draw a line under the past and move on. In our comments we will have to walk a delicate line that acknowledges the pain felt, reminds people of the region that the failure to find the state of

Serbia complicit does not absolve individuals who perpetrated war crimes, and reaffirms our commitment to help the people of Bosnia move forward to a brighter future. END COMMENT.
CEFKIN